

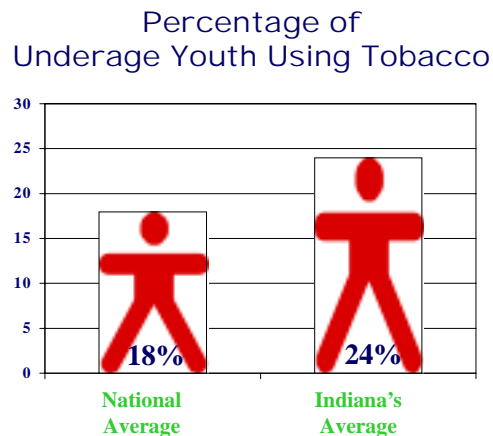
INDIANA TOBACCO RETAILER INSPECTION PROGRAM (TRIP)

Although on the decline for the last three years, tobacco use by Indiana youth has long exceeded national averages. While nationally, approximately 18% of youth under the age of 18 currently use tobacco, in Indiana, approximately 24% are current users. Nicotine is considered a “gateway drug” that can lead to use of other illicit drugs. In fact, young smokers are ten to 50 times more likely than nonsmokers to use marijuana, cocaine or other drugs at some point. The Tobacco Retailer Inspection Program (TRIP) is the latest in the State’s efforts to prevent use of tobacco by Hoosier young people. It is administered by the Family and Social Services Administration (FSSA) Division of Mental Health (DMH).

How Does TRIP Work?

In conjunction with the Indiana Alcoholic Beverage Commission, TRIP enforces Indiana Code 35-46-1-10.2, which establishes progressive penalties for retailers who sell tobacco to persons under the age of 18, and 11(c), which fines retailers who fail to post a notice informing youth under age 18 that it is illegal for them to purchase tobacco products. Contracting with off-duty Indiana police officers and the Indiana Prevention Resource Center

(IPRC) at Indiana University, DMH utilizes inspection teams made up of Indiana police officers, young people aged 16 and 17, and adult monitors. These teams conduct unannounced inspections of tobacco retail outlets all over the State. The youth carry identification and honestly answer all questions posed by the clerk as they attempt to purchase cigarettes, smokeless tobacco, pipe tobacco or cigars. If a sale is made, the officer issues a



History of TRIP

TRIP was originally funded in the Fall of 1999 through a contract with the U.S. Food and Drug Administration (FDA) to enforce federal regulations prohibiting the sale of cigarettes and smokeless tobacco to young people under the age of 18. In March, 2000, however, the Supreme Court ruled that the FDA did not have the authority to regulate tobacco, and the FDA's funding of programs all over the country was ended. In the Spring of 2000, the Indiana TRIP was redesigned to enforce Indiana youth tobacco access laws.

notice of violation to the store within 48 hours of the inspection. Indiana Alcoholic Beverage Commission prosecutors issue notices of civil money penalty and handle prosecution of violators.

Violations

For sale of tobacco to underage youth, a Class C infraction, retailers are fined \$50 for a first violation, \$100 for a second violation within 90 days, \$250 for a third violation within 90 days, and \$500 for a fourth violation within 90 days. Failure to post and maintain a sign, printed in letters at least one-half inch high, reading: “The sale of tobacco to persons under 18 years of age is forbidden by Indiana law,” is a Class C infraction carrying a fine of up to \$500.

The Tobacco Retailer Inspection Program supports DMH’s Synar program, which annually conducts a study of Indiana tobacco retailers to determine the rate of compliance with laws prohibiting the sale of tobacco products to juveniles. DMH works through the Alcoholic Beverage Commission Excise Police, the Governor’s Commission for a Drug-Free Indiana, and the Indiana Prevention Resource Center to carry out the Synar program inspections.

References: “Alcohol, Tobacco, and Other Drug use by Indiana Children and Adolescents.” Indiana Prevention Resource Center Survey, 1999; “National Household Survey on Drug Abuse.” SAMSHA, 1998.

To report a vendor suspected of selling tobacco products to youth, contact Danise Barlow-James at the Division of Mental Health. Her number is 317-232-7831.

For more information on TRIP, contact:
Louise Polansky, TRIP Project Director
Office of Public Policy
Division of Mental Health
Family and Social Services Administration
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More information on smoking, tobacco and health is available through the federal Centers for Disease Control and Prevention (CDC) at 1-800-CDC-1311 and on the Web at <http://www.cdc.gov/tobacco>.



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FSSA Website: URL: <http://www.state.in.us/fssa>

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Indiana Family and Social Services Administration
DIVISION OF MENTAL HEALTH

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